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Attorney for Defendant
LUIS C. RODRIGUEZ

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 1:05-cr-00063 OWW
)	
<i>Plaintiff,</i>)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE AND SET MOTION BRIEFING
v.)	SCHEDULE AND ORDER THEREON
)	
LUIS C. RODRIGUEZ,)	Date: October 24, 2005
)	Time: 1:30 p.m.
<i>Defendant.</i>)	Judge: Honorable Oliver W. Wanger
)	
_____)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, DAVID L. GAPP, Assistant United States Attorney, counsel for Plaintiff, and ERIC V. KERSTEN, Assistant Federal Defender, counsel for Defendant Luis C. Rodriguez, that the date for status conference in this matter may be continued to October 24, 2005. It is also requested that a new motion briefing schedule be ordered. It is requested that any additional motions may be filed by September 26, 2005; that any response or opposition may be filed by October 17, 2005; and that status conference and hearing on the motions may be set for October 24, 2005. **The date currently set for status conference is August 23, 2005. The requested new date is October 24, 2005.**

The bulk of the alleged images in this matter were found on a computer at the defendant's place of employment at the time of arrest. The defense needs additional time to view additional images since discovered on a different computer at the defendant's prior place of employment. In addition, the

1 the defense is requesting additional time to conduct further investigation and prepare a potential
2 suppression motion. Finally, the parties are requesting additional time to engage in further discussions
3 in an effort to reach a negotiated settlement of matter. If no agreement is reached by the date of the
4 requested status conference, a trial date will be requested at that time.

5 The parties agree that the delay resulting from the continuance shall be excluded as necessary for
6 effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), and for the filing of pretrial
7 motions and ruling thereon pursuant to 18 U.S.C. §§ 3161(h)(1)(F).

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9 McGREGOR W. SCOTT
United States Attorney

10
11 DATED: August 18, 2005

12 By /s/ David L. Gappa
13 DAVID L. GAPPA
Assistant United States Attorney
Attorney for Plaintiff

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15 QUIN DENVIR
Federal Public Defender

16
17 DATED: August 18, 2005

18 By /s/ Eric V. Kersten
19 ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
Luis C. Rodriguez

20
21 **ORDER**

22 **IT IS SO ORDERED.** The intervening period of delay is excluded in the interests of justice
23 pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv).

24 DATED: August 18, 2005

25 /s/ OLIVER W. WANGER
26 OLIVER W. WANGER, Judge
United States District Court
Eastern District of California